

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

CIVIL APPLICATION NO.640 OF 2017

IN

WRIT PETITION NO.13817 OF 2016

Mr. Khan Obaidullayh Mohd. Asif

... Petitioner

Vs

State of Maharashtra & Ors.

... Respondents

...

Mr. Vijay P. Agale for the Petitioner.

Ms. Nisha Mehra, AGP for Respondent Nos. 1 and 2.

Mr. Pradeep Patil for respondent no. 3.

CORAM : SHANTANU S. KEMKAR &

PRAKASH D. NAIK, JJ.

DATE : 20th MARCH, 2017

P.C. :

. Learned counsel appearing for respondents seek time to file reply. Four weeks time as prayed for is granted.

2. Heard learned counsel for the parties on Civil Application. Learned counsel for the petitioner submits that in fact,

when the order dated 15th December 2016 was passed, the petitioner was in final year of MBBS course and not in final semester examination of the third year of MBBS course. The mentioning of final semester examination of the third Year MBBS course of the said order dated 15th December 2016 is incorrect. He submits that now the petitioner has already appeared in MBBS course but his result has not been declared in view of the order passed on 15th December 2016. According to him the petitioner has to attend the internship course which has started w.e.f. 6th March 2017. He submits that the petitioner may be allowed to attend the internship course. He also submits that the petitioner shall not claim equity on the basis of this order.

3. Recording the aforesaid statement that the petitioner shall not be entitled to claim any equity on the basis of the order dated 15th December 2016 and this order, we allow the petitioner to attend the internship course. However, as already ordered his result shall not be declared without the leave of this Court.

4. In spite of repeated opportunities neither the College nor the State have filed reply affidavit. By way of last indulgence, we grant them four weeks time to file reply.

5. Civil Application is stands disposed of. List the Writ petition as per CMIS date.

6. Parties to act on an authenticated copy of this order.

(PRAKASH D. NAIK, J)

(SHANTANU S. KEMKAR, J.)